

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

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2023 MAY 12 PM 3:16

Reverend Dr. Samuel Whatley,  
Samuel Whatley, II, and Pacita Whatley

**Complaint for a Civil Case**

Case No. \_\_\_\_\_

**-against-**

Jury Trial: ☒ Yes ☐ No

Wells Fargo Bank, N.A.

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

## Plaintiff No. 1

Name	<u>Reverend Dr. Samuel Whatley</u>
Street Address	<u>579 Folly Road 14254</u>
City and County	<u>Charleston</u>
State and Zip Code	<u>SC 29422</u>
Telephone Number	<u>8034467215</u>

## Plaintiff No. 2

Name	<u>Samuel Whatley, II</u>
Street Address	<u>579 Folly Road 14254</u>
City and County	<u>Charleston</u>
State and Zip Code	<u>SC 29422</u>
Telephone Number	<u>9108501202</u>

## Plaintiff No. 3

Name	<u>Pacita Whatley</u>
Street Address	<u>579 Folly Road 14254</u>
City and County	<u>Charleston</u>
State and Zip Code	<u>SC 29422</u>
Telephone Number	<u>2527252305</u>

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

## Defendant No. 1

Name	<u>Wells Fargo Bank, N.A.</u>
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Job or Title (if known)	_____
Street Address	<u>Wells Farg 420 Montgomery Street</u>
City and County	<u>San Francisco</u>
State and Zip Code	<u>California 94104</u>
Telephone Number	<u>866-878-5865</u>

## II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

### A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Fair Credit Reporting Act and Fair Debt Collection Practices Act; The Privacy Act of 1974; 15 U.S. Code § 1681o; 15 U.S. Code § 1692; 5 U.S. Code § 552a

### B. If the Basis for Jurisdiction Is Diversity of Citizenship

#### 1. The Plaintiff(s)

##### a. If the plaintiff is an individual

The plaintiff, (*name*) \_\_\_\_\_, is a citizen of the State of (*name*) \_\_\_\_\_.

##### b. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of the State of (name) \_\_\_\_\_. Or is a citizen of (foreign nation) \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_. Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

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**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

The defendant is demanding debt collection from interest and attorney fees to a disabled elderly individual and filed a suit without a judge signature or served by a certified server in a common pleas municipal court [Charleston County 2023CP1001928]. In addition, defendant is selling sensitive employment related Department of Defense/Office of Personnel Management information to unauthorized third parties of potential foreign origin as indicated by *debt relief* corporations requesting services shortly after the defendant sued Plaintiff No. 3 demanding money and federal employee documents were publicly posted on the municipal docket including other personal identifiable information. Plaintiff No. 3 is a retired federal employee.

#### IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Dismissal of the unpayable debt demands, removal of sensitive federal employment and government information that is being sold to unauthorized to third parties, compensation for the injury caused to the plaintiffs, and thorough inspection of the access to federal databases by unauthorized third parties.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: MAY 10<sup>th</sup>, 2023.

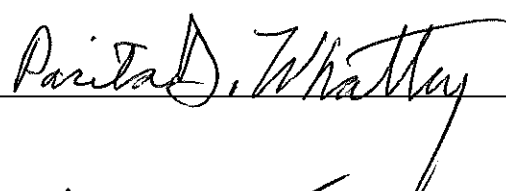
Signature of Plaintiff No. 1



Printed Name of Plaintiff No. 1

Reverend Dr. Samuel Whatley

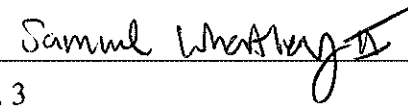
Signature of Plaintiff No. 2



Printed Name of Plaintiff No. 2

Samuel Whatley, II

Signature of Plaintiff No. 3



Printed Name of Plaintiff No. 3

Pacita Whatley